



Crl.O.P.(MD).No.18269 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.11.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.18269 of 2023
and Crl.M.P.(MD).No.14557 of 2023

Senthilkumar

... Petitioner

Vs.

The Inspector of Police,
Kaliakkavilai Police Station,
Kanyakumari District.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to withdraw the case in CC No.265/2013 on the file of the Learned Judicial Magistrate, No.1 Kuzhithurai and transfer the same to any other competent Magistrate, at Tenkasi District.

For Petitioner : Mr. N.S.Ramakrishna Dass

For Respondent : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.side)



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ORDER

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This Criminal Original Petition is filed to withdraw the case in CC No.265/2013 on the file of the Learned Judicial Magistrate, No.1 Kuzhithurai and transfer the same to any other competent Magistrate, at Tenkasi District.

2. A report was called for from the trial Court as to the stage of the case. Today, a report is received from the trial Court stating that no one appeared on behalf of the petitioner. Eventhough, P.W.1 and P.W.2 were examined in chief, no cross examination was made, because of the non engagement of the advocate.

3. Learned counsel for the petitioner submitted that the deceased is a senior member of the Bar and hence no one comes forward to take up the case for the petitioner.

4. Considering the present position of the petitioner, the trial process be transferred to the learned Judicial Magistrate, Valliyur. Let all the papers be immediately transferred to the Judicial Magistrate Court,



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Valliyur. Learned Judicial Magistrate, Valliyur, shall assign new number and proceed with the case in accordance with law and complete the trial process within a period of four months thereafter.

5. With this direction, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition stands closed.

09.11.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To

- 1.The Judicial Magistrate, Valliyur.
- 2.Inspector of Police, Kaliakkavilai Police Station,
Kanyakumari District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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G.ILANGO VAN,J.

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